REMARKS

Before addressing the merits of the Office Action mailed July 7, 2005, Applicant wishes to point out some important features of the present invention. Applicant's invention allows for users to retrieve desired information from pre-selected web sites containing the desired information by uttering speech commands, and the retrieved information is provided to the users in an audio form. Applicant's invention allows users to retrieve the desired information using a voice enabled device, such as a standard telephone, cell phone, or IP phone, whereby users utter speech commands into the voice enabled device, and the retrieved information is provided to the users in audio form via the voice enabled device. Applicant's invention retrieves the desired information from one of a plurality of pre-selected web sites by accessing the web sites sequentially until the desired information is found or until all of the pre-selected web sites have been accessed. Once the desired information is found at one of the pre-selected web sites, the information is converted into audio form and transmitted via the voice enabled device to the user.

For example, Applicant's invention may be configured to provide financial information, such as current stock values for various publicly-traded companies. As such, the system may be set up with a plurality of pre-selected web sites containing current stock values for various companies. For instance, fifty web sites containing current stock values for various companies may be pre-selected for use by the system. A user desiring the current stock value for a company may utter a speech command relating to the particular company, and the system accesses the pre-selected web sites sequentially until the desired information is located. For example, a user desiring the current stock value of Southwest Airlines may utter the speech command "Southwest" into a voice enabled device, such as a standard telephone, cell phone, or IP phone, and the system accesses the pre-selected web sites beginning with the first web site and sequentially accessing each web site until the current stock value for Southwest Airlines is found or until all of the pre-selected web sites have been accessed. Once the information is found, the system converts the retrieved information into audio form, which may be transmitted via the voice enabled device to the user. For example, once the current stock value for Southwest Airlines is found, the system may transmit an audio message containing the retrieved

information, such as "$16.65" or "The current stock value of Southwest Airlines is $16.65," to the user over the voice enabled device.

These features of the present invention are important advancements over the prior art. In the system disclosed by U.S. Patent No. 6,157,705 to Perrone ("the Perrone Patent"), users cannot retrieve desired information from a plurality of pre-selected web sites by uttering speech commands. *See* Perrone Patent, col. 11, ll. 19-29. Rather, speech commands correspond to specific resources on specific web sites, and uttering speech commands allows users to retrieve the specific resources from the specific web sites. *Id.* The system disclosed by the Perrone Patent does not access a plurality of pre-selected web sites in a sequential manner until the desired information is found. *Id.*

Applicant has amended claims 1-17 to further emphasize these important features of the present invention. Additionally, claims 18-32 have been added to further protect Applicant's invention. Accordingly, the Examiner is requested to withdraw the rejections and enter a timely Notice of Allowance

Rejection Under Double Patenting:

The amendment is believed to obviate the rejection of claims 1-17 under non-statutory double patenting as being unpatentable over U.S. Patent No. 6,807,257 to Kurganov ("the Kurganov Patent"). Independent claim 1 as amended includes several patentable features not disclosed, suggested, or implied by the Kurganov Patent.

For example, claim 1 as amended includes "at least one instruction set for identifying said information to be retrieved, said instruction set being associated with said computer, said instruction set comprising: a plurality of pre-selected web site addresses, each said web site address identifying a web site containing said information to be retrieved." The Kurganov Patent does not disclose, suggest, or imply this feature.

As another example, claim 1 as amended includes "said computer further configured to access at least one of said plurality of web sites identified by said instruction set to obtain said information to be retrieved, said computer configured to first access said first web site of said plurality of web sites and, if said information to be retrieved is not found at said first web site,

said computer configured to sequentially access said plurality of web sites until said information to be retrieved is found or until said plurality of web sites has been accessed."

The Kurganov Patent does not disclose, suggest, or imply "said computer further configured to access at least one of said plurality of web sites identified by said instruction set to obtain said information to be retrieved, said computer configured to first access said first web site of said plurality of web sites and, if said information to be retrieved is not found at said first web site, said computer configured to sequentially access said plurality of web sites until said information to be retrieved is found or until said plurality of web sites has been accessed." Rather, with the system disclosed by the Kurganov Patent, speech commands are used to carry out specific functions, such as make telephone calls or compose e-mail messages. *See* Kurganov Patent, col. 6, ll. 18-52. The system disclosed by the Kurganov Patent does not access a plurality of pre-selected web sites in a sequential manner until desired information is found. *Id.*

The Kurganov Patent does not disclose, suggest, or imply all of the elements of independent claim 1 as amended. As such, the rejection based on non-statutory double patenting should be withdrawn. *See In re Braat*, 937 F.2d 589, 592-93 (Fed. Cir. 1991) (stating that the Federal Circuit "has endorsed an obviousness determination similar to . . . that undertaken under 35 U.S.C. § 103 in determining the propriety of a rejection for double patenting"); *see also In re Vogel*, 422 F.2d 438, 441-42 (C.C.P.A. 1970) (stating that a rejection under double patenting cannot be sustained where the prior art does not disclose, suggest, or imply all of the elements of the claimed invention).

Accordingly, amended independent claim 1, and those claims depending therefrom, should be allowed.

Rejection Under 35 U.S.C. § 102:

The amendment is believed to obviate the rejection of claims 1-7 and 14-17 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,157,705 to Perrone ("the Perrone Patent"). Independent claim 1 as amended includes several patentable features not disclosed by the Perrone Patent.

For example, claim 1 as amended includes "at least one instruction set for identifying said information to be retrieved, said instruction set being associated with said computer, said

instruction set comprising: a plurality of pre-selected web site addresses, each said web site address identifying a web site containing said information to be retrieved." The Perrone Patent does not disclose this feature.

As another example, claim 1 as amended includes "said computer further configured to access at least one of said plurality of web sites identified by said instruction set to obtain said information to be retrieved, said computer configured to first access said first web site of said plurality of web sites and, if said information to be retrieved is not found at said first web site, said computer configured to sequentially access said plurality of web sites until said information to be retrieved is found or until said plurality of web sites has been accessed."

The Perrone Patent does not disclose "said computer further configured to access at least one of said plurality of web sites identified by said instruction set to obtain said information to be retrieved, said computer configured to first access said first web site of said plurality of web sites and, if said information to be retrieved is not found at said first web site, said computer configured to sequentially access said plurality of web sites until said information to be retrieved is found or until said plurality of web sites has been accessed." Rather, speech commands correspond to specific resources on specific web sites, and uttering speech commands allows users to retrieve the specific resources from the specific web sites. *See* Perrone Patent, col. 11, ll. 19-29. The system disclosed by the Perrone Patent does not access a plurality of pre-selected web sites in a sequential manner until the desired information is found. *Id.*

The Perrone Patent does not disclose all of the elements of independent claim 1 as amended. As such, the rejection based on anticipation should be withdrawn. *See Verdegaal Bros. v. Union Oil Co.*, 814 F.2d 628, 631 (Fed. Cir. 1987) ("A claim is anticipated only if each and every element as set forth in the claim is found").

Accordingly, amended independent claim 1, and those claims depending therefrom, should be allowed.

Rejection Under 35 U.S.C. § 103:

The amendment is believed to obviate the rejection of claims 8-13 under 35 U.S.C. § 103(a) as being unpatentable over the Perrone Patent. Independent claim 1 as amended includes several patentable features not disclosed, suggested, or implied by the Perrone Patent.

For example, claim 1 as amended includes "at least one instruction set for identifying said information to be retrieved, said instruction set being associated with said computer, said instruction set comprising: a plurality of pre-selected web site addresses, each said web site address identifying a web site containing said information to be retrieved." The Perrone Patent does not disclose, suggest, or imply this feature.

As another example, claim 1 as amended includes "said computer further configured to access at least one of said plurality of web sites identified by said instruction set to obtain said information to be retrieved, said computer configured to first access said first web site of said plurality of web sites and, if said information to be retrieved is not found at said first web site, said computer configured to sequentially access said plurality of web sites until said information to be retrieved is found or until said plurality of web sites has been accessed."

The Perrone Patent does not disclose, suggest, or imply "said computer further configured to access at least one of said plurality of web sites identified by said instruction set to obtain said information to be retrieved, said computer configured to first access said first web site of said plurality of web sites and, if said information to be retrieved is not found at said first web site, said computer configured to sequentially access said plurality of web sites until said information to be retrieved is found or until said plurality of web sites has been accessed." Rather, speech commands correspond to specific resources on specific web sites, and uttering speech commands allows users to retrieve the specific resources from the specific web sites. *See* Perrone Patent, col. 11, ll. 19-29. The system disclosed by the Perrone Patent does not access a plurality of pre-selected web sites in a sequential manner until the desired information is found. *Id.*

The Perrone Patent does not disclose, suggest, or imply all of the elements of independent claim 1 as amended. As such, the rejection based on obviousness should be withdrawn. *See In re Royka*, 490 F.2d 981, 985 (C.C.P.A. 1974) (stating that all elements of a claim must be disclosed by the prior art to support a *prima facie* case of obviousness).

Accordingly, amended independent claim 1, and those claims depending therefrom, should be allowed.

Additional Claims:

Applicant has added claims 18-32 to further protect Applicant's invention. New claims 18-32 have patentable elements not disclosed by the prior art applied by the Examiner. For example, claim 21 includes the step of "access[ing] said plurality of web sites based on said ranking, said computer first accessing said web site having the highest ranking." This feature is not disclosed by the prior art applied by the Examiner.

As another example, claim 22 includes the step of "adjusting said rankings associated with said plurality of web sites such that said web site having said information to be retrieved is assigned the highest ranking and any web sites not having said information to be retrieved are assigned lower rankings." This feature is not disclosed by the prior art applied by the Examiner.

As a further example, claim 23 includes the step of "periodically polling each said web site to determine whether said web site contains said information to be retrieved." This feature is not disclosed by the prior art applied by the Examiner.

As yet a further example, claim 26 includes an instruction set comprising "a content descriptor associated with each said web site address, said content descriptor pre-defining a portion of said web site containing said information to be retrieved." This feature is not disclosed by the prior art applied by the Examiner.

As still a further example, the instruction set of claim 26 further includes "a ranking associated with each said web site address, said ranking indicating the order in which the plurality of pre-selected web sites are accessed." This feature is not disclosed by the prior art applied by the Examiner.

CONCLUSION

In view of the above amendments and remarks, Applicant believes claims 1-32 are in position for allowance and respectfully requests that a timely Notice of Allowance be issued in this case.

Applicant has enclosed a Petition for Extension of Time and a fee transmittal to cover the related fees. Should any additional fees be required (except for payment of the issue fee), the Commissioner is authorized to deduct the fees from Kelley Drye & Warren LLP Deposit Account No. 11-0404, Order No. 015749-0015.

Respectfully submitted,

By_____

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